

Office of Air Quality 1558 Washington Street, East Charleston, WV 25311

Telephone Number: (304) 558-0885 Fax Number: (304) 558-1222

## West Virginia Division of Environmental Protection

Cecil H. Underwood Michael P. Miano
Governor Director

# WEST VIRGINIA TITLE V PERMIT TO OPERATE

THIS PERMIT IS ISSUED IN ACCORDANCE WITH THE WEST VIRGINIA AIR POLLUTION CONTROL ACT (W.VA. CODE §§ 22-5-1 ET SEQ.) AND 45 C.S.R. 30 - "REQUIREMENTS FOR OPERATING PERMITS." THE PERMITTEE IDENTIFIED AT THE FACILITY BELOW IS AUTHORIZED TO OPERATE THE STATIONARY SOURCES OF AIR POLLUTANTS IDENTIFIED HEREIN IN ACCORDANCE WITH ALL TERMS AND CONDITIONS OF THIS PERMIT.

PERMITTEE: Applied Dynamics FACILITY/LOCATION: Weirton Facility PERMIT NUMBER: R30-00900017-1996

EDWARD L. KROPP
CHIEF, OFFICE OF AIR QUALITY

July 19, 1999

DATE ISSUED

July 19, 2004

EXPIRATION DATE

Any person whose interest may be affected, including, but not necessarily limited to, the applicant and any person who participated in the public comment process, by a permit issued, modified or denied by the director may appeal such action of the director to the air quality board pursuant to article one [§§ 22B-1-1 et seq.], chapter twenty-two-b



of the Code of West Virginia. W. Va. Code §22-5-14.

### TABLE OF CONTENTS

SECTION I.	FACILITY INFORMATION	1
A.	PERMIT DATES	1
B.	FACILITY CONTACT INFORMATION	1
C.	FACILITY INFORMATION	1
D.	SIC CODES	1
SECTION II.	GENERAL CONDITIONS	2
A.	BACKGROUND	
B.	REQUIREMENT FOR PERMIT	3
C.	PERMIT ISSUANCE	
D.	PERMIT EXPIRATION AND RENEWAL	
E.	CERTIFIED EMISSIONS STATEMENT AND FEES	4
F.	CHANGES REQUIRING PERMIT REVISION	
G.	CHANGES NOT REQUIRING PERMIT REVISION	6
H.	PUBLIC PARTICIPATION	
I.	COMPLIANCE AND ENFORCEMENT	8
J.	SUBMISSION OF INFORMATION	10
K.	PERMIT SHIELD	13
L.	SEVERABILITY	13
M.	EMERGENCY	14
N.	PROPERTY RIGHTS	
O.	ACCIDENTAL RELEASE PREVENTION REQUIREMENTS, §112(r) OF T	
	CLEAN AIR ACT	
P.	OZONE DEPLETING SUBSTANCES	
Q.	ADDITIONAL CONDITIONS	16
SECTION III.	SPECIFIC REQUIREMENTS	
A.	EMISSION POINTS AND POLLUTION CONTROL DEVICES	
B.	ENFORCEABILITY OF APPLICABLE REQUIREMENTS	
	1. GENERAL CONDITIONS	
	a. ENFORCEABLE BY OAQ AND/OR USEPA	18
	b. ENFORCEABLE BY OAQ ONLY	
	2. SPECIFIC CONDITIONS	
	a. ENFORCEABLE BY OAQ AND/OR USEPA	
	b. ENFORCEABLE BY OAQ ONLY	22
C.	SPECIFIC MONITORING/RECORDKEEPING/REPORTING	
	REQUIREMENTS 22	
D.	PERMIT SHIELD	-
E.	LIMITS ON OPERATION	
F.	COMPLIANCE PLAN	24
APPENDIX	LIST OF ABBREVIATIONS	26

<sup>&</sup>quot;To use all available resources to protect and restore West Virginia's environment in concert with the needs of present and future generations."



#### SECTION I. FACILITY INFORMATION

#### A. PERMIT DATES

Date of Issue:

Effective Date:

Expiration Date:

Renewal Application Due:

July 19, 1999

July 19, 1999

July 19, 2004

January 19, 2004

#### B. FACILITY CONTACT INFORMATION

Responsible Official: Mr. John Kettman, V.P. of Manufacturing

Telephone Number: 616-887-0780 Fax Number: 616-887-2693

Environmental Contact: Stephen T. Gill, Manufacturing Supervisor

Telephone Number: 304-748-0348 Ext. 25

Fax Number: 304-797-7205

#### C. FACILITY INFORMATION

Name of Permittee: Applied Dynamics Mailing Address: 7903 Venture Avenue

Sparta, MI 49345

Name of Facility: Weirton Facility

Mailing Address: 200 Fort Steuben Road

Weirton, WV 26062

Telephone Number: 304-748-0348 Type of Business Entity: Corporation

Facility Description: Metal fabrication and coating facility

Nearest City or Town: Weirton

County: Brooke UTM Coordinates: ZONE: 17

EASTING: 532.0 km NORTHING: 4471.0 km

Directions: From State Route 2 proceed west on Freedom Way Road, turn onto Half

Moon Industrial Park on Half Moon Road. Take Half Moon Road to

Fort Steuben Road.

Primary: 3449

Secondary: Tertiary:

SIC CODES

D.

#### SECTION II. GENERAL CONDITIONS

This Section describes the general conditions applicable to all emission units at a Title V source. Conditions and requirements specific to this source are contained in Section III of the permit.

#### A. BACKGROUND

- 1. All references to the "West Virginia Air Pollution Control Act" or the "Air Pollution Control Act" mean those provisions contained in W.Va. Code §§ 22-5-1 to 22-5-17.
- 2. The Clean Air Act means those provisions contained in 42 U.S.C. §§ 7401 to 7671q, and regulations promulgated thereunder.
- 3. "C.S.R." or "CSR" means the West Virginia Code of State Rules.
- 4. In some instances, provisions of 45 C.S.R. 30 have been paraphrased for clarity in specific application to this permit. However, any such paraphrasing is in no way intended to modify the meaning of any provision of 45 C.S.R. 30 or any other rule.
- 5. All citations to 45 C.S.R. 30 refer to the version of the rule which became effective on April 27, 1994.
- 6. The General Conditions in Section II of this permit may be modified by written administrative notice by the Director to the permittee to conform to amendments to 45 C.S.R. 30 approved by USEPA which may become effective during the term of this permit and which affect any of those General Conditions.
- 7. The "Director" means the Director of the Division of Environmental Protection, and shall have like meaning as the Chief of the Office of Air Quality, which is the Director's designated representative for the purposes of this permit. C.S.R. § 45-30-2.12.
- 8. The permittee is not relieved of the requirements for obtaining a permit under 45 C.S.R. 13 (Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits, and Procedures for Evaluation), after the issuance of an operating permit under 45 C.S.R. 30. In addition, the permittee is not relieved from permitting requirements under 45 C.S.R. 14 and 45 C.S.R. 19. C.S.R. § 45-30-6.1.f.
- 9. The Director's authority to require standards under 40 C.F.R. 60 (NSPS), 40 C.F.R. 61 (NESHAPS), and 40 C.F.R. 63 (NESHAPS MACT) is provided in West Virginia Code §§ 22-5-1 et seq., 45 C.S.R. 16, 45 C.S.R. 15, 45 C.S.R. 34

and 45 C.S.R. 30.

- 10. Nothing in this permit shall be interpreted to preclude the use of any credible evidence to demonstrate compliance or noncompliance with any term or condition of this permit. C.S.R. § 45-30-5.3.e.3.B.
- 11. This permit does not convey permission to treat, store, or dispose of any materials determined to be hazardous wastes as per 45 C.S.R. 25. Additionally, it does not relieve the permittee herein of the responsibility to apply for and obtain all other required permits, licenses, and/or approvals from the Office of Air Quality as well as other local, state, and federal agencies which may have jurisdiction over the construction and/or operation of the source(s) and/or facility herein permitted. WV Code §§ 22-5-1 et seq.
- 12. Issuance of a Title V permit does not supersede or invalidate any existing permits under 45 C.S.R. 13, 45 C.S.R. 14, or 45 C.S.R. 19, although all applicable requirements from such permits governing the facility's operation and compliance have been incorporated into the Title V permit.

#### **B. REQUIREMENT FOR PERMIT** C.S.R. § 45-30-3.1.

The following sources are subject to permitting requirements of 45 C.S.R. 30:

- 1. Any major source as defined by C.S.R. § 45-30-2.26.;
- 2. Any source, including an area source, subject to a standard or other requirements under § 111 of the Clean Air Act;
- 3. Any source, including an area source, subject to a standard or other requirements under § 112 of the Clean Air Act, except that a source is not required to obtain a permit solely because it is subject to regulations or requirements under § 112(r) of the Clean Air Act; and
- 4. Any affected source as defined by C.S.R. § 45-30-2.2. (Title IV Acid Rain)

#### **C. PERMIT ISSUANCE** C.S.R. § 45-30-6.1.a.

A permit, permit modification, or renewal may be issued only if all of the following conditions have been met:

- 1. The Director has received a complete application for a permit, permit modification, or permit renewal;
- 2. Except for modifications qualifying for minor permit modification procedures under C.S.R. § 45-30-6.5.a., the Director has complied with the public participation procedures for permit issuance in accordance with C.S.R. § 45-30-6.8.;

- 3. The Director has complied with the requirements for notifying and responding to affected States in accordance with C.S.R. § 45-30-7.2.;
- 4. The conditions of the permit provide for compliance with all applicable requirements and the requirements of 45 C.S.R. 30; and
- 5. When appropriate, the Director will provide a copy of the permit and any notices required under C.S.R. §§ 45-30-7.1. and 7.2. to the USEPA, and USEPA has not timely objected to issuance of the permit under C.S.R. § 45-30-7.3.

#### **D. PERMIT EXPIRATION AND RENEWAL** C.S.R. §§ 45-30-6.2. and 4.1.a.3.

This permit expires at midnight on the expiration date, which is noted above and is five (5) years after the date of issuance. Expiration of this permit terminates the permittee's right to operate unless a timely and complete renewal application has been submitted in accordance with C.S.R. §§ 45-30-6.2. and 4.1.a.3. A timely application is one that is submitted at least six (6) months prior to the expiration of this permit. If the permittee submits a timely and complete application, the failure to have a Title V Operating Permit is not a violation of 45 C.S.R. 30 until the Director takes final action on the permit application. This protection shall cease to apply if, subsequent to the completeness determination, the permittee fails to submit by the deadline specified in writing by the Director any additional information identified as being required to process the application.

#### E. CERTIFIED EMISSIONS STATEMENT AND FEES C.S.R. § 45-30-8.

The permittee shall submit a certified emission statement and pay fees on an annual basis in accordance with the submittal requirements of the Office of Air Quality.

#### F. CHANGES REQUIRING PERMIT REVISION

1. **General**. C.S.R. § 45-30-5.1.f.3.

This permit and/or any part thereof may be modified, revoked, reopened, and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation, and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not stay any permit condition.

#### 2. **Permit Reopening**. C.S.R. § 45-30-6.6.a.

This permit shall be reopened and revised under any of the following circumstances:

a. Additional applicable requirements under the Clean Air Act or legislative

rules adopted pursuant to West Virginia Code §§ 22-5-1, et seq. become applicable to a major source with a remaining permit term of three (3) or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to C.S.R. § 45-30-6.6.a.1.A. or B.;

- b. Additional requirements become applicable to an affected source under Title IV of the Clean Air Act or other legislative rules adopted pursuant to West Virginia Code §§ 22-5-1, et seq.;
- c. The Director or Administrator of USEPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emission standards or other terms or conditions of the permit;
- d. The Director or Administrator of USEPA determines that the permit must be revised or revoked and reissued to assure compliance with the applicable requirements.

#### 3. **Administrative Permit Amendments**. C.S.R. § 45-30-6.4.

Changes qualifying for administrative amendment procedure under C.S.R. § 45-30-6.4.a., may be made to this permit in accordance with the procedure enumerated in C.S.R. § 45-30-6.4.b. as follows:

- a. The Director shall take no more than sixty (60) days from receipt of a request for an administrative permit amendment to take final action on such request, and may incorporate such changes without providing notice to the public or affected states provided that the Director designates any such permit revisions as having been made pursuant to this section.
- b. The Director shall submit a copy of the revised permit to the USEPA.
- c. The source may implement the changes addressed in the request for an administrative amendment immediately upon submittal of the request.

#### 4. **Permit Transfers**. C.S.R. § 45-30-6.4.a.4.

A change in ownership or operational control of the permitted source may utilize the procedures for administrative permit amendments if the following requirements are met:

a. The Director determines no other changes in the permit are required.

- b. A written agreement containing the following information is submitted to the Director:
  - i. The specific date for transfer of permit responsibility;
  - ii. Coverage; and
  - iii. Liability between the current and the new permittee.
- c. The permittee shall transfer any existing permits under 45 C.S.R. 13, 45 C.S.R. 14, and 45 C.S.R. 19 simultaneously in accordance with the requirements under the applicable rule.

#### 5. <u>Minor Permit Modifications</u>. C.S.R. § 45-30-6.5.a.

Changes meeting the criteria enumerated in C.S.R. § 45-30-6.5.a.1., may be effected through the minor permit modification procedure. Pursuant to the procedure, the permittee must file an application for the change meeting the requirements of C.S.R. § 45-30-4.3., including those items enumerated in C.S.R. § 45-30-6.5.a.2.

#### 6. **Significant Permit Modifications**. C.S.R. § 45-30-6.5.b.

Changes at the facility that require a permit revision, and which either do not qualify for or are not otherwise processed as minor permit modifications or as administrative permit amendments shall meet all of the requirements of C.S.R. § 45-30-6., including the requirements for applications, public participation, review by affected states and review by USEPA as they apply to permit issuance and permit renewal. The Director shall complete the review process for significant permit modifications within six (6) months after receipt of a complete application.

#### G. CHANGES NOT REQUIRING PERMIT REVISION

#### 1. **Emissions Trading**. C.S.R. § 45-30-5.1.h.

No permit revision shall be required, under any approved economic incentives, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in the permit and that are in accordance with all applicable requirements.

#### 2. <u>Off-Permit Changes</u>. C.S.R. § 45-30-5.9.

In addition to all insignificant emission units or activities which may be operated at this facility, the permittee is authorized to make changes in its operations or emissions that are not addressed nor prohibited in its permit and which are not considered to be construction, reconstruction nor modification under any rule promulgated by the Director within its facility without requiring a permit revision if:

- a. The change meets all applicable requirements and does not violate any existing permit term or condition;
- b. For changes in operation that result in, or have the potential to result in an increase in any regulated air pollutant, the permittee provides a written notice of the change to the Director and to USEPA within two (2) business days following the date of the change which includes:
  - i. A description of the change;
  - ii. The date on which the change will occur or has occurred;
  - iii. Any change in emissions;
  - iv. The pollutants emitted; and
  - v. Any applicable requirement that would apply as a result of the change.
- c. The permittee keeps records describing all changes that result in emissions of regulated air pollutants, but not otherwise regulated under this permit, and the emissions resulting from those changes;
- d. The change is not subject to any requirement under Title IV of the Clean Air Act (Acid Deposition Control);
- e. The change does not require preconstruction review under any provision of Title I of the Clean Air Act, (including 45 C.S.R. 14 and 45 C.S.R. 19);
- f. The off-permit change shall not qualify for a permit shield.
- 3. **Operational Flexibility**. C.S.R. § 45-30-5.8., C.S.R. § 45-30-2.39.

The permittee is authorized to make changes which qualify as Section 502(b)10 changes, and which are not modifications under any rule or provision of Title I of the Clean Air Act, and which do not result in a level of emissions exceeding the emissions allowable under the permit without a permit revision. Before making a change under this provision, the permittee shall provide advance notice to the Director and to USEPA, describing the change to be made, the date on which the change will occur, any changes in emissions, and any permit terms and conditions that are affected. The permittee shall thereafter attach a copy of the notice to this permit, and the Director shall place a copy in the public file. The written notice shall be provided to the Director and USEPA at least seven (7) days prior to the date that the change is to be made, except that this period may be shortened or eliminated as necessary for a change that must be implemented more quickly to address unanticipated conditions posing a significant health, safety, or

environmental hazard. If less than seven (7) days notice is provided because of a need to respond more quickly to such unanticipated conditions, the permittee shall provide notice to the Director and USEPA as soon as possible after learning of the need to make the change. The permit shield provided under C.S.R. § 45-30-5.6. shall not apply to changes made to effect operational flexibility under C.S.R. § 45-30-5.8. C.S.R. § 45-30-5.8.a.

#### 4. **Reasonably Anticipated Operating Scenarios**. C.S.R. § 45-30-5.1.i.

If the permittee has been granted the authority to make a change from one operating scenario to another, the terms and conditions of such reasonably anticipated operating scenarios appear in the Specific Requirements of this permit, and such terms and conditions meet all applicable requirements, the permittee may make those changes absent permit revision in accordance with those Specific Requirements, provided that:

- a. The source shall, contemporaneously with making a change from one operating scenario to another record in a log at the permitted facility a record of the scenario under which it is operating and to document the change in reports submitted pursuant to the terms of the permit or otherwise required by 45 C.S.R. 30.
- b. In accordance with Section II.K. of this permit, the permit shield described in C.S.R. § 45-30-5.6. may extend to all terms and conditions under each such reasonable anticipated operating scenario set forth in the Specific Requirements of this permit.

#### H. PUBLIC PARTICIPATION

Except for permit revisions qualifying as administrative permit amendments or minor permit modification procedures, all permit proceedings, including initial permit issuance, significant modifications, permit reopenings and renewals, shall be subject to public participation requirements of C.S.R. §§ 45-30-6.8.a. through e.

#### I. COMPLIANCE AND ENFORCEMENT

#### 1. **Duty to Comply.** C.S.R. § 45-30-5.1.f.1.

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the West Virginia Code and the Clean Air Act and is grounds for enforcement action by the Director or USEPA; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

#### 2. **Inspection and Entry**. C.S.R. § 45-30-5.3.b.

The permittee shall allow any authorized representative of the Director, upon the presentation of credentials and other documents as may be required by law, to perform the following:

- a. At all reasonable times (including all times in which the facility is in operation) enter upon the permittee's premises where a source is located or emissions related activity is conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect at reasonable times (including all times in which the facility is in operation) any facilities, equipment (including monitoring and air pollution Control equipment), practices, or operations regulated or required under the permit;
- d. Sample or monitor at reasonable times substances or parameters to determine compliance with the permit or applicable requirements or ascertain the amounts and types of air pollutants discharged.

#### 3. <u>Certification of Compliance</u>. C.S.R. § 45-30-5.3.

The permittee shall certify compliance with the conditions of this permit on the forms provided by the OAQ. In addition to the annual compliance certification, the permittee may be required to submit certifications more frequently under an applicable requirement enumerated in the Specific Requirements Section of this permit. The annual certification shall be submitted to the OAQ and USEPA on or before January 15 of each year, and shall certify compliance for the period ending December 31.

#### 4. **Schedule of Compliance**. C.S.R. § 45-30-5.3.c.

- a. For all applicable requirements with which the source is in compliance, the permittee shall continue to comply with such requirements. C.S.R. § 45-30-4.3.h.1.A.
- b. For applicable requirements that will become effective during the permit term, the permittee will meet those requirements on a timely basis, unless a more detailed schedule is expressly required by the applicable requirement. C. S. R. § 45-30-4.3.h.1.B
- c. For sources that are not in compliance with all applicable requirements at the time of permit issuance, the permittee must meet the requirements of the compliance schedule enumerated in the Specific Requirements Section of this permit and which incorporates all of the elements of C.S.R. § 45-30-4.3.h.1.C. For sources subject to such a compliance schedule, certified progress reports shall be submitted according to the schedule set

forth in the Specific Requirements Section of this permit, but at least every six (6) months, and no greater than once a month, and shall include the following:

- i. Dates for achieving the activities, milestones, or compliance required in the schedule of compliance, and dates when such activities, milestones or compliance were achieved; and
- ii. An explanation of why any dates in the schedule of compliance were not or will not be met, and any preventative or corrective measure adopted.

#### 5. Need to Halt or Reduce Activity not a Defense. C.S.R. § 45-30-5.1.f.2.

It shall not be a defense for a permittee in an enforcement action that it should have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. However, nothing in this paragraph shall be construed as precluding consideration of a need to halt or reduce activity as a mitigating factor in determining penalties for noncompliance if the health, safety, or environmental impacts of halting or reducing operations would be more serious than the impacts of continued operations.

#### 6. **Federally-Enforceable Requirements**. C.S.R. § 45-30-5.2.a.

All terms and conditions in this permit, including any provisions designed to limit a source's potential to emit and excepting those provisions that are specifically designated in the permit as "State-enforceable only", are enforceable by the Director, USEPA, and citizens under the Clean Air Act.

#### 7. **Duty to Provide Representative Information.** C.S.R. § 45-30-5.1.c.1.B.

Information compiled or utilized to determine compliance with emissions limitations and standards set forth in this permit shall fully comply with the testing, monitoring, recordkeeping and reporting provisions of this permit and shall be obtained under such conditions and at such times as necessary to assure that compliance is established for all periods of source operation represented by such testing, monitoring or recordkeeping and is based upon relevant averaging periods for each emissions limitation and standard.

#### J. SUBMISSION OF INFORMATION

#### 1. **Certification**. C.S.R. § 45-30-4.4.

Any application form, report, or compliance certification required by this permit to be submitted to the OAQ and/or USEPA shall contain a certification by the responsible official that states that, based on information and belief formed after

reasonable inquiry, the statements and information in the document are true, accurate and complete.

### 2. **Duty to Provide Information**. C.S.R. § 45-30-5.1.f.5.

The permittee shall furnish to the Director within a reasonable time any information the Director may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Director copies of records required to be kept by the permittee. For information claimed to be confidential, the permittee shall furnish such records to the Director along with a claim of confidentiality in accordance with 45 C.S.R. 31. If confidential information is to be sent to USEPA, the permittee shall directly provide such information to USEPA along with a claim of confidentiality in accordance with 40 C.F.R. 2.

#### 3. **Duty to Supplement and Correct Information**. C.S.R. § 45-30-4.2.

Upon becoming aware of a failure to submit any relevant facts or a submittal of incorrect information in any permit application, the permittee shall promptly submit to the Director of OAQ such supplemental facts or corrected information.

#### 4. **Recordkeeping**. C.S.R. § 45-30-5.1.c.2.A.

- a. In addition to the applicable recordkeeping requirements enumerated in the Specific Requirements Section of this permit, the permittee shall keep records of monitoring information that include the following:
  - i. The date, the specific units or equipment IDs subject to monitoring requirements under the Specific Requirements Section of this permit, and time of sampling or measurements;
  - ii. The date(s) analyses were performed;
  - iii. The company or entity that performed the analyses;
  - iv. The analytical techniques or methods used;
  - v. The results of the analyses; and
  - vi. The operating conditions existing at the time of sampling or measurement.
- b. The permittee shall retain records of all required monitoring data and support information for a period of at least five (5) years from the date of monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation,

and copies of all reports required by the permit. Where appropriate, records may be maintained in computerized form in lieu of the above records. C.S.R. § 45-30-5.1.c.2.B.

#### 5. **Reporting**. C.S.R. § 45-30-5.1.c.3.

- a. In addition to the applicable reporting requirements enumerated in the Specific Requirements Section of this permit, the permittee shall submit reports of any required monitoring at least every six (6) months, but no more often than once per month. All instances of deviations from permit requirements must be clearly identified in such reports. All required reports must be certified by a responsible official consistent with C.S.R. § 45-30-4.4. and submitted to the OAQ no later than fifteen (15) days following the close of that reporting period.
- b. With the submission of the annual compliance certification, the permittee shall report all deviations from permit requirements. These reports shall include those attributable to upset conditions as defined in the Specific Requirements Section of this permit, the probable cause of such deviations, and any corrective actions or preventative measures taken in accordance with any rules of the Director.

[NOTE: For reporting emergency situations refer to Section II.M.3. of this permit.]

- c. In addition to monitoring reports required by the permit, the permittee shall promptly submit supplemental reports and notices in accordance with the following:
  - i. Any deviation resulting from an emergency or upset condition, as defined in C.S.R. § 45-30-5.7., shall be reported by telephone or telefax within one (1) working day of the date on which the permittee becomes aware of the deviation, if the permittee desires to assert the affirmative defense in accordance with C.S.R. § 45-30-5.7. A written report of such deviation, which shall include the probable cause of such deviations, and any corrective actions or preventative measures taken, shall be submitted and certified by a responsible official within ten (10) days of the deviation. C.S.R. § 45-30-5.1.c.3.C.1.

[NOTE: For additional information regarding emergencies refer to Section II.M. of this permit.]

ii. Any deviation that poses an imminent and substantial danger to public health, safety, or the environment shall be reported to the Director immediately by telephone or telefax. A written report of such deviation, which shall include the probable cause of such deviation, and any corrective actions or preventative measures

- taken, shall be submitted by the responsible official within ten (10) days of the deviation. C.S.R. § 45-30-5.1.c.3.C.2.
- iii. Deviations for which more frequent reporting is required under the Specific Requirements Section of this permit shall be reported on the more frequent basis. C.S.R. § 45-30-5.1.c.3.C.3.
- iv. All reports of deviations shall identify the probable cause of the deviation and any corrective actions or preventative measures taken. C.S.R. § 45-30-5.1.c.3.C.4.
- d. A permittee may request confidential treatment for the submission of reporting required under C.S.R. § 45-30-5.1.c.3. pursuant to the limitations and procedures of W.Va. Code § 22-5-10 and 45 C.S.R. 31.
- 6. Notice. All notices, requests, demands, submissions and other communications required or permitted to be made to the Director of OAQ and/or USEPA shall be made in writing and shall be deemed to have been duly given when delivered by hand, or mailed first class with postage prepaid to the address(es) set forth below or to such other person or address as the Director of the Office of Air Quality may designate:

#### If to the OAQ:

Director Telephone: (304)

558-0885

WV Division of Environmental Protection Telefax: (304)

558-1222

Office of Air Quality

1558 Washington Street, East

Charleston, West Virginia 25311-2599

#### If to the USEPA:

Associate Director, Enforcement (3AP00) U.S. Environmental Protection Agency Region III 1650 Arch Street Philadelphia, PA 19103

#### **K. PERMIT SHIELD** C.S.R. § 45-30-5.6.a.

- 1. Where granted in the Specific Requirements Section of this permit, the permit shield infers that compliance with the conditions of this permit shall be deemed compliance with the corresponding applicable requirement(s) as of the date of permit issuance.
- 2. A permit shield must be requested by the permittee.

3. This permit will not grant permit shields for the construction, modification or relocation of any source which was required to obtain a permit under 45 C.S.R. 13, 45 C.S.R. 14, or 45 C.S.R. 19 prior to the issuance of this permit, except to the extent that applicable requirements established pursuant to permits issued under those rules are contained herein.

#### **L. SEVERABILITY** C.S.R. § 45-30-5.1.e.

The provisions of this permit are severable. If any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by a court of competent jurisdiction, the remaining permit terms and conditions or their application to other circumstances shall remain in full force and effect.

#### M. EMERGENCY

- 1. **Emergency**. C.S.R. § 45-30-5.7.
  - a. An "Emergency" means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An Emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.
  - b. In the event that a permittee believes that an emergency condition has caused a technology-based emission limit to be exceeded and wishes to assert the occurrence of an emergency as an affirmative defense, the permittee must demonstrate through completion and certification of relevant evidence that all of the following conditions applied to or during the excess emissions event or period:
    - i. An emergency occurred and that the permittee can identify the cause(s) of the emergency;
    - ii. The permitted facility was at the time being properly operated;
    - iii. During the period of the emergency the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

- iv. The permittee submitted notice of the emergency to the Director by telephone or telefax within one (1) working day of the date on which the permittee became aware of the deviation and made a request for variance as applicable rules provide. This notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.
- c. In any enforcement proceeding, the permittee seeking to establish the occurrence of an emergency has the burden of proof.
- d. This provision is in addition to any emergency or upset provision contained in any applicable requirement.
- 2. For those facilities asserting an affirmative defense in the case of an emergency episode as defined by C.S.R. § 45-30-5.7.a., the permittee shall be required to take all reasonable steps to minimize levels of emissions that exceeded the emissions standards, or other requirements for this permit. The permittee shall submit notice of the emergency to the Director by telephone or telefax within one (1) working day of the date on which the permittee becomes aware of the deviation and make a request for variance. The notice must contain a detailed description of the emergency, any steps taken to mitigate emissions, and corrective actions taken. An emergency constitutes an affirmative defense to an action brought for noncompliance with the technology-based emission limitation if the conditions of C.S.R. § 45-30-5.7.c. are met.
- 3. For those facilities asserting an affirmative defense, a written report of any deviation resulting from an emergency or upset condition, shall include the probable cause of such deviation, and any corrective actions or preventative measures taken, and shall be submitted and certified by a responsible official within ten (10) days of the deviation. C.S.R. § 45-30-5.1.c.3.C.1.

[NOTE: Refer to Section II.J.5.c.i. of this permit for additional information regarding emergencies.]

#### **N. PROPERTY RIGHTS** C.S.R. § 45-30-5.1.f.4.

This permit does not convey any property rights of any sort, or any exclusive privilege.

## O. ACCIDENTAL RELEASE PREVENTION REQUIREMENTS, §112(r) OF THE CLEAN AIR ACT

Should this stationary source, as defined in 40 CFR part 68.3, become subject to part 68, then the owner or operator shall submit a risk management plan (RMP) by the date specified in 40 CFR part 68.10 and shall certify compliance with the requirements of part 68 as part of the annual compliance certification as required by 40 CFR part 70 or 71.

#### P. OZONE DEPLETING SUBSTANCES

For those facilities performing maintenance, service, repair or disposal of appliances, the permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 C.F.R. Part 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:

- 1. Persons opening appliances for maintenance, service, repair, or disposal must comply with the prohibitions and required practices pursuant to C.F.R. §§ 40-82.154 and 82.156.
- 2. Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment pursuant to C.F.R. §§ 40-82.158.
- 3. Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to C.F.R. §§ 40-82.161.

#### Q. ADDITIONAL CONDITIONS C.S.R. § 45-30-5.6.c.

Nothing in this permit shall alter or affect the following:

- 1. The provisions of Section 303 of the Clean Air Act (emergency orders), including the authority of the USEPA

  Administrator under that section:
- 2. The liability of an owner or operator of a source for any violation of applicable requirements prior to or at the time of permit issuance;
- 3. The applicable requirements of the acid rain program, consistent with Section 408(a) of the Clean Air Act;
- 4. The ability of EPA to obtain information from a source pursuant to Section 114 of the Clean Air Act.
- 5. The applicable requirements of the Code of West Virginia.

## SECTION III. SPECIFIC REQUIREMENTS

### A. EMISSION POINTS AND POLLUTION CONTROL DEVICES

The following table provides a list of regulated sources of air pollutant emissions authorized to operate by this permit at the subject facility:

Source ID	Emission Point ID	Equipment Description			
001-01	PT. 1	Heat Cleaner & Phosphatizer, Buckhorn Metals Products. Metal parts are cleaned and passavated prior to painting to ensure proper adhesion of the paint.			
001-02	PT. 2	Heat Rinser & Sealer, Buckhorn Metals Products. Rinse the cleaned part and seal it with sodium nitrate prior to painting.			
001-03	PT. 3	Dry Off Oven, Mabor de Mexico S.A.; Model 400 Oven Pak Burner; Serial # Type 425. Used to Dry metal parts prior to painting.			
002-01	PT. 4	Auto Paint Booth #1; Owner fabricated 10'x11' floor type spray booth with three (3) CA-1000 electrostatic centrifugal atomizers by Graco Inc., Model 907-027. Used to automatically apply paint to metal parts.			
002-02	PT. 5	Auto Paint Booth #2; Owner fabricated 10'x11' floor type spray booth with three (3) CA-1000 electrostatic centrifugal atomizers by Graco Inc., Model 907-027. Used to automatically apply paint to metal parts.			
002-03	PT. 6	Manual Paint Booth #1; Owner fabricated 10'x11' floor type spray booth with one (1) Binks model 2001 hand spray gun. Used to touch-up areas of the metal parts that were not painted by the Auto Paint Booths.			
002-04	PT. 7	Manual Paint Booth #2; Owner fabricated 10'x11' floor type spray booth with one (1) Binks model 2001 hand spray gun. Used to touch-up areas of the metal parts that were not painted by the Auto Paint Booths.			
002-05	PT. 8	Flash Off Station; Mabor de Mexico S.A. Used to allow paint to flow prior to going into the drying oven.			
001-04	PT. 9	Bake Oven - Burner 1, Mabor de Mexico S.A. Model 400 Oven Pak Burner; Serial # Type 425. Used to dry painted metal parts.			
001-05	Pt. 10	Bake Oven - Burner 2, Mabor de Mexico S.A. Model 400 Oven Pak Burner; Serial # Type 425. Used to finish drying painted metal parts.			

#### B. ENFORCEABILITY OF APPLICABLE REQUIREMENTS

The following table provides a summary of all applicable requirements and their methods for determining compliance. For further detail refer to the sections referenced in the columns entitled "Permit Condition Number" and "Compliance Demonstration - Condition Number."

Emission Point ID	Applicable Requirement	Permit Condition Number	Pollutant/ Parameter	Limit/ Standard	Compliance Demonstration	
					Method	Condition Number
Facility-Wide	C.S.R. § 45-4-3.1.	III.B.1.b.	Any Air Pollutant	Objectionable Odor Prohibited	N/A	N/A
Facility-Wide	C.S.R. § 45-6-3.1.	III.B.1.a.i.	Refuse	Open Burning Prohibited	N/A	N/A
Facility-Wide	C.S.R. § 45-6-3.2.	III.B.1.a.ii.	N/A	Open Burning Prohibited	N/A	N/A
Facility-Wide	C.S.R. § 45-11-5.2.	III.B.1.a.iii.	Any Regulated Air Pollutant	Submit Standby Plan if Requested	N/A	N/A
Facility-Wide	C.S.R. § 45-30-4.3.h.1.B.	III.B.1.a.iv.	Any Newly Applicable Requirement	Notify and Submit Compliance Schedule	N/A	N/A
Facility-Wide	WV Code § 22-5-4(a)(14)	III.B.1.a.v.	Criteria Air Pollutants	Submit Annual Emission Inventory	Reporting	III.B.1.a.v.
Facility-Wide	WV Code § 22-5-4(a)(15)	III.B.1.a.vi.	Testing	Conduct as required	N/A	III.B.1.a.vi.
Facility-Wide	40 C.F.R. §§ 61.145, 61.148, and 61.150	III.B.1.a.vii.	Asbestos	N/A	N/A	N/A
PT. 1, PT.2, PT.3, PT. 4, PT. 5, PT. 6, PT. 7, PT. 8, PT. 9, and PT. 10.	C.S.R. § 45-7-3.1.	III.B.2.a.i.	Smoke and/or Particulate Matter	No. 1 Ringelmann (20% Opacity)	Visual Emission Checks	III.C.1.
PT. 1, PT.2, PT.3, PT. 4, PT. 5, PT. 9, and PT. 10.	C.S.R. § 45-7-4.1.	III.B.2.a.ii.	Particulate Matter	1.74 pounds per hour, each	Recordkeeping and Reporting	III.C.2.
PT. 6 and PT. 7	C.S.R. § 45-7-4.1.	III.B.2.a.ii.	Particulate Matter	0.75 pounds per hour, each	Recordkeeping and Reporting	III.C.2.
PT. 8	C.S.R. § 45-7-4.1.	III.B.2.a.ii.	Particulate Matter	4.97 pounds per hour	Recordkeeping and Reporting	III.C.2.
Facility-Wide	C.S.R. § 45-7-5.1.	III.B.2.a.iii.	Fugitive Particulate Matter	System to Minimize	Recordkeeping and Reporting	III.C.3.

Facility-Wide	C.S.R. § 45-7-5.2.	III.B.2.a.iv.	Fugitive Particulate Matter	Maintain Dust Control	Recordkeeping and	III.C.3.
					Reporting	

#### 1. GENERAL CONDITIONS

#### a. ENFORCEABLE BY OAQ AND/OR USEPA

- i. The open burning of refuse for the purpose of volume reduction, elimination, or product recovery by any person, firm, corporation or public agency is prohibited except as noted in C.S.R. § 45-6-3.1. (effective date May 1, 1995). (Facility-Wide Applicability). Compliance with this streamlined limit assures compliance with the corresponding provisions of the SIP approved version of the same rule.
- ii. No person shall cause, suffer, allow or permit any form of open burning during existing or predicted periods of atmospheric stagnation. C.S.R. § 45-6-3.2. (effective date May 1, 1995). (*Facility-Wide Applicability*). Compliance with this streamlined limit assures compliance with the corresponding provisions of the SIP approved version of the same rule.
- iii. When requested by the Director, the permittee shall prepare standby plans for reducing the emissions of air pollutants in accordance with the objectives set forth in Tables I, II, and III of 45 C.S.R. 11. C.S.R. § 45-11-5.2. (effective date April 25, 1990). (Facility-Wide Applicability).
- iv. If any applicable requirement is promulgated during the term of this permit, the permittee is responsible for notifying the Director and submitting an appropriate compliance schedule. C.S.R. § 45-30-4.3.h.1.B. (effective date April 27, 1994). (*Facility-Wide Applicability*).
- v. The permittee is responsible for submitting, on an annual basis, an emission inventory in accordance with the submittal requirements of the Office of Air Quality. W.V. Code § 22-5-4(a)(14). (effective date August 4, 1995). (Facility-Wide Applicability).
- vi. As per provisions set forth in Section III of this permit or as otherwise required by the Director, in accordance with the West Virginia Code, underlying regulations, permits and orders, the permittee shall conduct test(s) to determine compliance with the emission limitations set forth in this permit and/or established or

set forth in underlying documents. The Director, or his duly authorized representative, may at his option witness or conduct such test(s). Should the Director exercise his option to conduct such test(s), the operator shall provide all necessary sampling connections and sampling ports to be located in such manner as the Director may require, power for test equipment and the required safety equipment, such as scaffolding, railings and ladders, to comply with generally accepted good safety practices. Such tests shall be conducted in accordance with the methods and procedures set forth in Section III of this permit or as otherwise approved or specified by the Director in accordance with the following:

- (a) For emissions for which there are no applicable requirements within the permit, the Director for cause may require testing or monitoring to determine emissions of air pollutants or emissions from sources.
- (b) The Director may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with 40 C.F.R. Parts 60, 61, and 63 in accordance with the Director's delegated authority and any established equivalency determination methods which are applicable. If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit will be revised in accordance with C.S.R. § 45-30-6.4. or C.S.R. § 45-30-6.5 as applicable.
- (c) The Director may on a source-specific basis approve or specify additional testing or alternative testing to the test methods specified in the permit for demonstrating compliance with applicable requirements which do not involve federal delegation. In specifying or approving such alternative testing to the test methods, the Director, to the extent possible, shall utilize the same equivalency criteria as would be used in approving such changes under Section III.B.1.a.v.(b). If a testing method is specified or approved which effectively replaces a test method specified in the permit, the permit will be revised in accordance with C.S.R. § 45-30-6.4. or C.S.R. § 45-30-6.5 as applicable.

All periodic tests to determine mass emission limits from or air pollutant concentrations in discharge stacks and such other tests as specified in Section III of this permit shall be conducted in accordance with an approved test protocol. Unless previously approved, such protocols shall be submitted to the Director in writing at least thirty (30) days prior to any testing and shall contain the information set forth by the Director. In addition, the

permittee shall notify the Director at least fifteen (15) days prior to any testing so the Director may have the opportunity to observe such tests. This notification shall include the actual date and time during which the test will be conducted and, if appropriate, verification that the tests will fully conform to a referenced protocol previously approved by the Director. WV Code § 22-5-4(a)(15), C.S.R. §§ 45-5-10.1.-10.3. (effective date May 1, 1995). (Facility-Wide Applicability). Compliance with this streamlined limit assures compliance with the corresponding provisions of the SIP approved rule.

vii. The permittee is responsible for thoroughly inspecting the facility, or part of the facility, prior to commencement of demolition or renovation for the presence of asbestos and complying with 40 C.F.R. § 61.145, 40 C.F.R. § 61.148, and 40 C.F.R. § 61.150. The permittee must notify the Director of the OAQ at least ten (10) working days prior to the commencement of any asbestos removal on the forms prescribed by the Director. A copy of this notice is required to be sent to the USEPA, the Office of Waste Management and the Bureau for Public Health - Environmental Health. (Facility-Wide Applicability).

#### b. ENFORCEABLE BY OAQ ONLY

No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor at any location occupied by the public. C.S.R. § 45-4-3.1. (effective date October 1, 1967). (Facility-Wide Applicability).

#### 2. SPECIFIC CONDITIONS

#### a. ENFORCEABLE BY OAQ AND/OR USEPA

- i. No person shall cause, suffer, allow, or permit emissions of smoke and/or particulate matter into the open air form any process source operation which is darker in shade or appearance than that designated as No. 1 Ringelmann or twenty (20) percent opacity. C.S.R. § 45-7-3.1. (effective date April 27, 1994). (*PT. 1, PT. 2, PT. 3, PT. 4, PT. 5, PT. 6, PT. 7, PT. 8, PT. 9, and PT. 10*) Compliance with this streamlined limit assures compliance with the corresponding provisions of the SIP approved version of the same rule.
- ii. No person shall cause, suffer, allow, or permit particulate matter to be vented into the open air from any type source operation or duplicate source operation, or from all air pollution control equipment installed on any type source operation or duplicate

source operation in excess of the quantity specified under the appropriate source operation type in Table 45-7A of 45CSR7. C.S.R. § 45-7-4.1. (effective date April 27, 1994). Based on the process weight rate for each piece of equipment PT. 1, PT. 2, PT. 3, PT. 4, PT. 5, PT. 9, and PT. 10 (1,450 lbs/hr each), PT. 6 and PT. 7 (621 lbs/hr each), and PT. 8 (4,138 lbs/hr) the corresponding allowable particulate matter emission rates are 1.74 lbs/hr each, 0.75 lbs/hr each, and 4.97 lbs/hr, respectively. (PT. 1, PT. 2, PT. 3, PT. 4, PT. 5, PT. 6, PT. 7, PT. 8, PT. 9, and PT. 10) Compliance with this streamlined limit assures compliance with the corresponding provisions of the SIP approved version of the same rule.

- iii. No person shall cause, suffer, allow, or permit any manufacturing process generating fugitive particulate matter to operate that is not equipped with a system to minimize the emissions of fugitive particulate matter. To minimize means that a particulate capture or suppression system shall be installed to ensure the lowest fugitive particulate emissions reasonably achievable. C.S.R. § 45-7-5.1. (effective date April 27, 1994). (*Facility-Wide Applicability*) Compliance with this streamlined limit assures compliance with the corresponding provisions of the SIP approved version of the same rule.
- iv. The owner or operator of a plant shall maintain dust control of the plant premises, and plant owned, leased or controlled access roads, by paving, application of asphalt, chemical dust suppressants or other suitable dust control measures. Good operating practices shall be implemented and when necessary dust suppressants shall be applied in relation to stockpiling and general material handling to prevent dust generation and atmospheric entrainment. C.S.R. § 45-7-5.2. (effective date April 27, 1994). (Facility-Wide Applicability) Compliance with this streamlined limit assures compliance with the corresponding provisions of the SIP approved version of the same rule.

#### b. ENFORCEABLE BY OAQ ONLY

None.

## C. SPECIFIC MONITORING/RECORDKEEPING/REPORTING REQUIREMENTS

1. At least weekly, visual emission checks of each emission point subject to an opacity limit shall be conducted during periods of normal facility operation for a sufficient time interval to determine if the unit has visible emissions using procedures outlined in 40 CFR 60 Appendix A, Method 22. If sources of visible emissions are identified

during the survey, or at any other time, the permittee shall conduct a 40 CFR 60 Appendix A, Method 9 evaluation within one (1) month. A Method 9 evaluation shall not be required if the visible emission condition is corrected in a timely manner and the units are operated at normal operating conditions. A record of each visible emission check required above shall be maintained on site for a period of no less than five (5) years. Said record shall include, but not be limited to, the date, time, name of emission unit, the applicable visible emissions requirement, the results of the check, what action(s), if any, was/were taken, and the name of the observer. C.S.R. § 45-30-5.1.c. (effective date April 27, 1994).

- 2. Compliance with the particulate matter emission limitations established for PT. 4, PT. 5, PT. 6, PT. 7 and PT. 8 shall be demonstrated by practicing the proper operation of the spray booths and filter systems. This shall include daily inspections of the filters, prompt replacement of plugged or broken filters, records of the paint used and metal coated on a monthly basis, and the hours of operation of the spray booths on a monthly basis. Due to the negligible potential particulate matter emissions from the units designated as PT. 1, PT. 2, PT. 3, PT. 9, and PT. 10 periodic monitoring to demonstrate compliance is not required. C.S.R. § 45-30-5.1.c. (effective date April 27, 1994).
- 3. Fugitive dust control measures shall be operated and maintained in such a manner as to minimize fugitive dust generation and atmospheric entrainment. Such measures shall include but not be limited to the following:
  - a. Facility roadways, employee and visitor parking areas, and product loading areas shall be paved with asphalt or concrete, or shall be graveled. Subject roadways and areas shall be watered using a pressurized water spray on an as needed basis.
  - b. All manufacturing processes at the facility shall be operated according to manufacturer's guidelines and according to good engineering practices. (*PT. 1, PT. 2, PT. 3, PT. 4, PT. 5, PT. 6, PT. 7, PT. 8, PT. 9, and PT. 10*)

C.S.R. § 45-30-5.1.c. (effective date April 27, 1994).

#### D. PERMIT SHIELD

- 1. The permittee has requested and is hereby granted a permit shield in accordance with C.S.R. § 45-30-5.6. The permit shield applies as long as the permittee operates in accordance with the information contained within this permit.
- 2. The list below identifies requirements which are not applicable to the permittee and the determinations thereof. So long as the permittee operates within the constraints of these determinations, the permit shield shall apply to the provisions of the table.
  - a. 45CSR2 To Prevent and Control Particulate Air Pollution from Combustion of Fuel in Indirect Heat Exchangers. The combustion units (Emission Points

- PT. 1, PT. 2, PT. 3, PT. 9, and PT. 10) which are utilized at this facility are considered direct heat transfer devices thus, 45CSR2 does not apply.
- b. 45CSR10 To Prevent and Control Air Pollution from the Emission of Sulfur Oxides. The combustion units utilized at this facility each have a maximum design heat input under ten (10) million BTU's per hour and thus, are exempted from the requirements of sections three (3) through eight (8) as specified in section nine (9) of 45CSR10.
- 3. Compliance with the conditions of this permit shall be deemed compliance with the corresponding applicable requirements as of the date of permit issuance and/or that the requirements specifically identified are not applicable to the permittee as of the date of permit issuance. C.S.R. § 45-30-5.6.a.

#### E. LIMITS ON OPERATION

None.

#### F. COMPLIANCE PLAN

- 1. The permittee has certified compliance with all applicable requirements with the exception of the following:
  - a. The paint spray booths and flash off station designated as Sources 002-01, 002-02, 002-03, 002-04 and 002-05 were installed without the required pre-construction permits (45CSR13 Permits for Construction, Modification, Relocation and Operation of Stationary Sources of Air Pollutants, Notification Requirements, Temporary Permits, General Permits, and Procedures for Evaluation (effective date April 27, 1994).
- 2. The permittee shall comply with the following compliance schedule for the spray booths and flash off station designated as sources 002-01, 002-02, 002-03, 002-04 and 002-05:
  - a. The permittee shall submit a complete and comprehensive 45CSR13 permit application for the construction of the spray booths and flash off station designated as 002-01, 002-02, 002-03, 002-04 and 002-05 to this Office no later than March 15, 1999;
  - b. The permittee shall expeditiously correct any deficiencies and errors found in the permit application or provide necessary omitted or supplemental information identified to the permittee by the Director or his authorized representative. The permittee shall submit a written and certified response to any written Notice of Deficiency (NOD) forwarded by the Director or his authorized representative within

- twenty (20) days of receipt of the NOD but not later than fifteen (15) days prior to the statute of limitations for the Director's application review period except as provided by Section III.F.2.c.
- c. In the event that the permittee notifies the Director that it cannot respond to a NOD within the time frames established under Section III.F.2.b. or in the event that an NOD is issued to the permittee later than the sixtieth day of the Director's statutory permit application review period, the permittee agrees to waive the statute of limitations for permit application review and to extend, with the concurrence of the Director, the application review period so as to allow the Director at least thirty (30) days to complete a review of the permittee's response to the NOD.
- d. The permittee shall submit progress reports at least once every sixty (60) days from the date of issuance of this permit. Said reports shall be certified and shall contain the following:
  - i. The dates for achieving the activities required in the compliance schedule and the dates when the activities were actually achieved;
  - ii. An explanation of why any dates in the compliance schedule were not or will not be met and any corrective measure adopted.
- 3. This compliance schedule shall not sanction noncompliance with the applicable requirements on which it is based.

C.S.R. § 45-30-4.3.h. & C.S.R. § 45-30-5.3.d. (effective date April 27, 1994).

#### **APPENDIX**

#### List of Abbreviations

CAAA Clean Air Act Amendments
CBI Confidential Business Information
CEM Continuous Emission Monitor
CES Certified Emission Statement
CFR Code of Federal Regulations

CO Carbon Monoxide

**DEP** Division of Environmental Protection

FOIA Freedom of Information Act
HAP Hazardous Air Pollutant
HON Hazardous Organic NESHAP

HP Horsepower lbs/hr Pounds per Hour

**LDAR** Leak Detection and Repair

M Thousand

MACT Maximum Achievable Control Technology

MM Million

MMBtu/hr Million British Thermal Units per Hour MMCF/hr Million Cubic Feet Burned per Hour

NA Not Applicable

NAAQS National Ambient Air Quality Standards

**NESHAPS** National Emissions Standards for Hazardous Air Pollutants

NO<sub>x</sub> Nitrogen Oxides

**NSPS** New Source Performance Standards

OAQ Division of Environmental Protection - Office of Air Quality

PM Particulate Matter

**PM**<sub>10</sub> Particulate Matter less than  $10\mu$ m in diameter

pphPounds per HourppmParts per Million

**PSD** Prevention of Significant Deterioration

**psi** Pounds per Square Inch

SIC Standard Industrial Classification

SIP State Implementation Plan

SO2Sulfur DioxideTAPToxic Air PollutantTPYTons per Year

TRS Total Reduced Sulfur
TSP Total Suspended Particular

TSP Total Suspended Particulate
USEPA United States Environmental Protection Agency

UTM Universal Transverse MercatorVEE Visual Emissions EvaluationVOC Volatile Organic Compounds

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

THIS IS THE LAST PAGE OF THE PERMIT

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*